

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

FREDYS MARTINEZ,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:10-CV-00777-LRH-VPC**

JACK PALMER, et al.,

Respondents.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that respondents' motion to dismiss (#36) is **GRANTED**. This action is **DISMISSED** with prejudice as untimely.

IT IS FURTHER ORDERED that a certificate of appealability is **GRANTED** on the issue of whether the court is correct in its determination that equitable tolling is not warranted.

February 25, 2013

LANCE S. WILSON

Clerk

/s/ D. R. Morgan

Deputy Clerk